

PATENT COOPERATION TREATY

PCT

REC'D 13 SEP 1999

WIPO PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 0T/97334 WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/GB98/02264	International filing date (day/month/year) 05/08/1998	Priority date (day/month/year) 05/08/1997
International Patent Classification (IPC) or national classification and IPC C08F8/34		
Applicant AKZO NOBEL N.V. et al		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 5 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 03/03/1999	Date of completion of this report 09. 09. 99
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Miao, K Telephone No. +49 89 2399 8584 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB98/02264

I. Basis of the report

1. This report has been drawn on the basis of (*substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

Description, pages:

1-33 filed with the demand

Claims, No.:

1-11 filed with the demand

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

4. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-11
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-11
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	CLAIMS
	No:	Claims	

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2. Citations and explanations

see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

ad point V

None of the prior art documents discloses all the essential features of the present subject-matter.

1. Claim 1 of WO,A,94/03530 discloses a method of modifying the binding properties of the surface of a solid phase,...wherein the said surface is treated with a solution of an activated polysaccharide which is not a cellulose ether.
2. JP,A,1235593 discloses water insoluble organic functional film for sensor use.
3. Claim 1 of GB,A,2 264 301 discloses a process for producing a polymer by reacting polymer having a thioether bond with peroxide...to convert it into a sulphone.
4. Claim 1 of US,A,3 948 821 discloses a solid phase crosslinked aromatic hydrocarbon macromolecular resin or polymer....

There is no hint or suggestion in the prior art documents, alone or in combination with other prior art, which would lead one to solving the problem of preventing the polymeric support from being washed away.

ad point VIII

The following deficiencies have not been clarified according to the requirements of Art. 6 PCT:

1. The subject-matter of Claims 4 and 6-11 is not clearly supported in the description.

The description has not been fully adapted / rendered consistent to the Claims.

2. The subject-matter of Claims 1-6 is per se claims. The disclosure of the description does not reflect the said subject-matter of the Claims.

2.1. In this context, it has not been made clear in the claims that the subject-matter is vinyl sulphone modified as disclosed on page 7, lines 3-4.

3. The definition of the parameter **R** being (oxy)alkyl or (oxy)aryl in Claim 1,

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is vague.

The subject-matter of Claim 3 has not been incorporated into Claim 1. Likewise, the disclosure on page 8, lines 19-20 has not been incorporated into Claim 1.

4. The words "...suitable..." in Claim 7 and "...produced..." in Claim 9 have not been appropriately replaced.
5. The full definition of a Merrifield resin as disclosed on page 6, lines 1-2, has not been incorporated into Claim 8 whilst the original phrase is retained in parentheses.
 - 5.1. In the addition, the wording "...which is subsequently...to yield..." in Claim 8 defines the subject-matter in terms of a result to be achieved. This is not allowable.
6. No explanation has been given for **REM** and **TMS** as disclosed in the description.
 - 6.1. In addition, no explanation have been given for **Ma** as disclosed on page 16, line 5; and **CIHRMS** (**EIHRMS** on page 22) as disclosed in the worked Examples.
7. Registered Trade Marks have not been acknowledged in the application.
8. The term "...etc."; the passage "...; for example...to,..." on page 9, line 21; etc. have not been removed from the application.

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NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

United States Patent and Trademark
Office
(Box PCT)
Crystal Plaza 2
Washington, DC 20231
ÉTATS-UNIS D'AMÉRIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 28 April 1999 (28.04.99)	
International application No. PCT/GB98/02264	Applicant's or agent's file reference OT/97334 WO
International filing date (day/month/year) 05 August 1998 (05.08.98)	Priority date (day/month/year) 05 August 1997 (05.08.97)
Applicant GANI, David et al	

1. The designated Office is hereby notified of its election made:



in the demand filed with the International Preliminary Examining Authority on:

03 March 1999 (03.03.99)



in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer S. Mafla Telephone No.: (41-22) 338.83.38
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From the INTERNATIONAL BUREAU

NOTIFICATION OF THE RECORDING
OF A CHANGE(PCT Rule 92bis.1 and
Administrative Instructions, Section 422)

To:

KRAAK, Hajo
Patent Department
Pharma
N.V. Organon
P.O. Box 20
NL-5340 BH Oss
PAYS-BAS

Date of mailing (day/month/year) 19 February 1999 (19.02.99)	IMPORTANT NOTIFICATION
Applicant's or agent's file reference OT/97334 WO	
International application No. PCT/GB98/02264	International filing date (day/month/year) 05 August 1998 (05.08.98)

1. The following indications appeared on record concerning:

☐ the applicant ☐ the inventor ☒ the agent ☐ the common representative

Name and Address OUZMAN, Beverley Murgitroyd & Company 373 Scotland Street Glasgow G5 8QA United Kingdom	State of Nationality	State of Residence
	Telephone No. 0141 307 8400	
	Facsimile No. 0141 307 8401	
	Teleprinter No.	

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☒ the person ☐ the name ☐ the address ☐ the nationality ☐ the residence

Name and Address KRAAK, Hajo Patent Department Pharma N.V. Organon P.O. Box 20 NL-5340 BH Oss Netherlands	State of Nationality	State of Residence
	Telephone No. 0412 666380	
	Facsimile No. 0412 650592	
	Teleprinter No.	

3. Further observations, if necessary:

4. A copy of this notification has been sent to:

<input checked="" type="checkbox"/> the receiving Office	<input checked="" type="checkbox"/> the designated Offices concerned
<input type="checkbox"/> the International Searching Authority	<input type="checkbox"/> the elected Offices concerned
<input type="checkbox"/> the International Preliminary Examining Authority	<input type="checkbox"/> other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Ting Zhao Telephone No.: (41-22) 338.83.38
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